

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA :

- V - :

TARREL GRANT :

Defendant. :

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AFFIRMATION

07 Cr. 877 (LTS)

I, **TARREL GRANT**, hereby affirm under penalties of perjury,
pursuant to 28 U.S.C. § 1746, as follows:

1. I am the defendant in the above captioned case. I make this affirmation in support of the instant motion to suppress physical evidence on the ground that there was an illegal search and seizure pursuant to the Fourth Amendment of the United States Constitution and that physical evidence seized during this illegal search and seizure must be suppressed pursuant to the Fourth Amendment.

2. On August 18, 2007, at approximately 2:00 A.M., I was at the approximate location of White Plains Road and East 215 street in the Bronx. I was planning to take a bus home and was just standing at that location.

3. A few feet from where I was standing, was a plant on a bench.

4. The plant was placed in that location by another individual whom I know, by the name of Sharif Landsmark.

5. I never touched the plant, and never had it in my possession, but I saw Sharif Landsmark in physical possession of

the plant before he placed it on the bench.

6. While standing at that location, I was approached by police officers in uniform. I told them that the plant was not mine and that it belonged to Sharif who was standing nearby.


7. Sharif walked over to the police officers and told them that the plant belonged to him and that he had taken the plant from a nearby location on East 215 street.

8. I was then arrested for possession of the marijuana plant in a public place, and subsequently searched. Following the search, the police seized a .25 caliber firearm and four rounds of ammunition.

WHEREFORE, it is respectfully requested that this Court enter an order suppressing physical evidence, the .25 caliber firearm and four rounds of ammunition, on the grounds that it was obtained in violation of my constitutional rights pursuant to the Fourth Amendment to the United States Constitution, or such other relief as the Court may deem just and proper.

I declare under penalty of perjury that the foregoing is true and accurate.

Dated: October 11, 2007
New York, New York


TARREL GRANT